

## APPENDIX

### MARKED-UP COPY OF REQUESTED AMENDMENTS

*Please amend the specification as follows, without disclaimer of any subject matter, without prejudice to future prosecution, or without presumption that the actions are taken for any reason related to patentability:*

Please delete the paragraph on page 8 at lines 23-30, and insert in its place:

-- In a preferred method of the present invention, the paraffin-embedded biological sample laying on the glass slide is first heated by a heating element. The heating element exposes heat on one side of the biological sample (such as the thermal platforms disclosed in U.S. Patent No. 6,296,809 [patent application 09/259,240], herein incorporated by reference) within an automated staining instrument (U.S. Patent No. 6,045,759 [patent application Serial No. 08/995,052 filed on December 19, 1997] and U.S. [provisional] patent application Serial No. 60/076,198 filed on February 27, 1998, both of which are herein incorporated by reference) such that the sample slide is dried and the paraffin is melted. --

Please delete the paragraph on page 9 at lines 2-11, and insert in its place:

-- As discussed in U.S. Patent No. 6,296,809 [patent application 09/259,240] (which is incorporated by reference) and referring now in detail to the drawings wherein like parts are designated by like reference numerals throughout, there is illustrated in FIG. 1 a perspective view of the molecular pathology apparatus according to the present invention which is designated generally by reference numeral 10. Apparatus 10 is designed to automatically stain or otherwise treat tissue mounted on microscope slides with nucleic acid probes, antibodies, and/or reagents associated therewith in the desired sequence, time and temperature. Tissue sections so stained or treated are then to be viewed under a microscope by a medical practitioner who reads the slide for purposes of patient diagnosis, prognosis, or treatment selection. --

Please delete the paragraph on page 9 at lines 19-25, and insert in its place:

-- The preferred configuration of apparatus 10 as well as system 12 is generally as described in U.S. Patent No. 6,045,759 [patent application serial no. 08/995,052 filed December 19, 1997] as well as in the *Ventana NexES User's Guide* available from Ventana Medical Systems, Inc. (Tuscon, AZ), both incorporated herein, except with respect to the novel heating system, slide support, bulk fluids module, volume adjust, and slide wipe as disclosed below. For purposes of clarity, detailed descriptions of those components found in both the present invention and the incorporated references are omitted. --

Please delete the paragraph on page 16 at lines 18-22, and insert in its place:

-- In a preferred method of the present invention, the embedded biological sample laying on the glass slide is first heated by the heating element. The heating element exposes heat on one side of the biological sample, such as by using the thermal platforms 50 disclosed in U.S. Patent No. 6,296,809 [patent application 09/259,240] within an automated staining instrument (U.S. Patent No. 6,045,759 [patent applications 08/995,052] and U.S. Patent App. No. 60/076,198) such that the sample slide is dried. --

Please delete the paragraph beginning on page 17 at line 27 and ending on page 18 at line5, and insert in its place:

-- In one method of the present invention, cell conditioning is accomplished while the biological sample is being exposed as described above. In this method of the present invention, a biological sample is placed on a glass microscope slide and the microscope slide is heated on one side (*e.g.*, by placing the slide on a thermal platform) within an automated staining instrument (U.S. Patent No. 6,045,759 [patent applications 08/995,052] and U.S. Patent App. No. 60/076,198). A reagent is placed on the biological sample and the temperature of the heating element may or may not be increased. The biological sample is exposed to the appropriate temperature for an appropriate duration of time that will permit the melting or etching of the inert material and permit cell conditioning of the biological sample to be subsequently stained using histological or cytological techniques.

Please delete the paragraph beginning on page 19 at line 29 and ending on page 20 at line 8, and insert in its place:

-- In another method of the present invention, cell conditioning is accomplished subsequent to the biological sample being exposed as described above. In this method of the present invention a biological sample is placed on a glass microscope slide and the microscope slide is heated on one side (*e.g.*, by placing the slide on a thermal platform) within an automated staining instrument (U.S. Patent No. 6,045,759 [patent applications 08/995,052] and U.S. Patent App. No. 60/076,198). In this method (one embodiment of which is shown in Figure 6), the embedded biological sample laying on the glass slide is first heated by the heating element within an automated staining instrument such that the sample slide is dried and the embedding material is melted or etched and removed by the application of a fluid. Subsequent to exposing the biological sample, an appropriate reagent is applied in order to permit cell conditioning of the biological sample to be subsequently stained using histological or cytological techniques. --

On page 47, lines 3-11, please amend the abstract as follows:

-- The present invention provides reagents for use in an automated environment for cell conditioning of biological samples wherein the cells or tissues are predisposed for access by reagent molecules for histochemical and cytochemical staining procedures. The components of the reagents are [reagents comprise components] optimized to facilitate molecular access to cells and cell constituents within the biological sample. The present invention also provides reagents for use in an automated environment for removing or etching embedding media by exposing a biological sample to be stained in histochemical or cytochemical procedures without the dependence on organic solvents. The components of the reagents are [reagents comprise components] optimized to facilitate removal or etching of the embedding media from the biological sample. --